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Attorneys for Plaintiff

**FILED**

APR 3 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

 **ORIGINAL**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEON DOGAN,

Defendant.

CR 08-0911 MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME**

On April 2, 2009, the parties in this case appeared before the Court for identification of counsel and a detention hearing. The parties stipulated and the Court agreed that time should be excluded from the Speedy Trial Act calculations from April 2, 2009, through April 6, 2009, for effective preparation of defense counsel. The parties represented that granting the continuance would allow the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best

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STIP. & [PROPOSED] ORDER EXCLUDING TIME  
CASE NO. CR 08-0911 MHP

1 interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

3 JOSEPH P. RUSSONIELLO  
4 United States Attorney

/s/

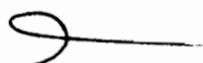
5 DATED: \_\_\_\_\_

6 OWEN P. MARTIKAN  
7 Assistant United States Attorney

/s/

8 DATED: \_\_\_\_\_

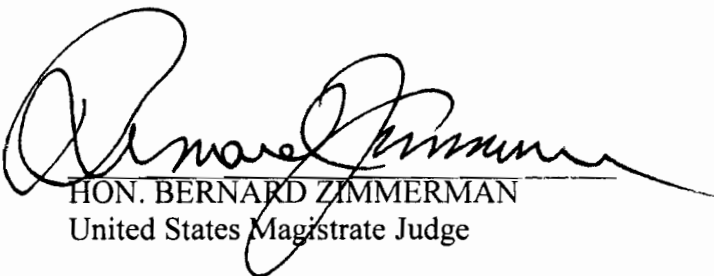
9 RONALD C. TYLER  
10 Attorney for Deon Dogan

11   
[PROPOSED] ORDER

12 As the Court found on April 2, 2009, and for the reasons stated above, an exclusion of  
13 time from April 2, 2009, through April 6, 2009, is warranted because the ends of justice served  
14 by the continuance outweigh the best interests of the public and the defendant in a speedy trial.  
15 *See* 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny  
16 defense counsel the reasonable time necessary for effective preparation, taking into account the  
17 exercise of due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C.  
18 §3161(h)(8)(B)(iv).

19  
20 SO ORDERED.

21  
22 DATED: 3/4/09

23   
24 HON. BERNARD ZIMMERMAN  
25 United States Magistrate Judge  
26  
27  
28